

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEVEN CAPOBIANCO,

Plaintiff,

-v.-

CITIBANK, N.A., TRANS UNION LLC,  
and EQUIFAX INFORMATION  
SERVICES, LLC,

Defendants.

22 Civ. 1767 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

By letter dated April 19, 2022, Plaintiff and Defendant Citibank, N.A. reported to the Court that they have reached a settlement in this case. (Dkt. #29). Accordingly, it is hereby:

ORDERED that this action be conditionally discontinued without prejudice and without costs against Defendant Citibank, N.A. only; provided, however, that within forty-five (45) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of the action against Citibank, N.A. to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action against Citibank, N.A. to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings

and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action against Citibank, N.A. with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 45-day period.

The Clerk of Court is directed to terminate Defendant Citibank, N.A. from this matter.

SO ORDERED.

Dated: April 20, 2022  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge